United States District Court Southern District of Texas ENTERED

## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS BROWNSVILLE DIVISION

MAY 0 9 2008

Michael N. Milby, Clerk of Court By Deputy Clerk

UNITED STATES OF AMERICA,

Plaintiff,

٧.

POUL S. BOULS a/k/a PAUL BOULS, GRACIELA BOULS, AKRAM BOULS, FIRST NATIONAL BANK, HARLINGEN ISD, and CAMERON CO. TAX-ASSESSOR, CIVIL ACTION NO. B-08-41

Defendants.

**ORDER & OPINION** 

BE IT REMEMBERED, that on May \_\_\_\_\_\_, 2008, the Court **GRANTED** Plaintiff's Notice of Dismissal of United States' Claims against Cameron Co. Tax-Assessor, Dkt. No. 9. Plaintiff, the United States of America, initiated suit against Defendant Cameron Co. Tax-Assessor on January 29, 2008. Dkt. No. 1. Defendant Cameron Co. Tax-Assessor has not entered an appearance in this case, nor did he file an answer or motion for summary judgment. Plaintiff now dismisses its claims against Defendant Cameron Co. Tax-Assessor pursuant to Rule 41(a)(1)(i). FED. R. CIV. P. 41(a)(1)(i) ("[A]n action may be dismissed by the plaintiff without an order of court . . . by filing a notice of dismissal at any time before service by the adverse party of an answer or of a motion for summary judgment, whichever occurs first."). Therefore, pursuant to Federal Rule of Civil Procedure 42(a)(1)(i), the Court **GRANTS** Plaintiff's Notice of Dismissal, Dkt. No. 9. The instant action is hereby dismissed with prejudice as to Defendant Cameron Co. Tax-Assessor. The District Clerk is **ORDERED** to close the case.

DONE at Brownsville, Texas, on May 4, 2008.

Hilda G. Tagle

United States District Judge